

2026/27 Request for Qualifications for Professional Services Term Consultants

CIN: EXO.26.002

**Olympic Regional Development Authority
37 Church Street
Lake Placid, New York 12946**

1 June 2026

**Presented By:
Olympic Regional Development Authority
Office of Environmental, Planning & Construction
37 Church Street
Lake Placid, New York 12946**

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NEW YORK STATE
**OLYMPIC REGIONAL
DEVELOPMENT AUTHORITY**

2026/27 Request for Qualifications for Professional Services Term Consultants 29 May 2026

Section 0. Request for Qualifications

0.1 General

The NYS Olympic Regional Development Authority (Olympic Authority), Office of Environmental, Planning and Construction (OEPC), per this Request for Qualifications (RFQ), is soliciting submissions for qualifications for Professional Services* via the NYS Contract Reporter (NYSCR) in compliance with Article 4-C of the Economic Development Law.

** Registered Licensed Professionals: Architectural, Engineering, Geological, Landscape Architecture and Surveying services are procured in compliance with State Finance Law Section 136-A.*

This document is the **full and complete** solicitation for the 2026/27 RFQ for Professional Services Term Consultants. No other information is available at this time.

Responses to this RFQ shall be submitted as required per Section 4 Submission Format and Requirements.

It is incumbent upon those interested in responding to this RFQ to check the NYSCR for updates and/or addenda.

The solicitation is a “Continuous Procurement Solicitation.” Therefore, updates and/or addenda may be issued at any time during the term of solicitation and the issuance of the related agreements.

Any updates and/or addenda will be posted on the NYSCR during the period that the solicitation is posted on the NYSCR. Thereafter, distribution of updates and/or addenda shall be made to those under contract.

The Olympic Authority shall not be held responsible for the reproduction of this solicitation in whole or in part by other sources.

0.2 Schedule of Key Events and Dates

<u>Event</u>	<u>Date</u>
Issuance of RFQ	1 June 2026
Start of RFIs & Questions	2 June 2026
End of RFIs & Questions	9 June 2026
Addendum (if required)	12 June 2026
Earliest Date of Award	22 June 2026
NYS Contract Reporter End Date*	1 December 2026
Deadline for Submissions	2 June 2027
Deadline for Awards	22 June 2027

**The NYS Contract Reporter limits the time of continuous solicitations to six (6) months.*

Copies of this RFQ are available by sending a written request to projects@ORDA.org at any time during the open solicitation period.

0.3 Designated Contacts

In compliance with the 2005 Procurement Lobbying Law, (State Finance Law § 139-j and § 139–k), the Olympic Authority has designated a PRIMARY contact for this procurement solicitation, who can be reached by email for all inquiries, questions, and requests for information regarding this solicitation.

Kirk Bassarab, PE
Director of Environmental, Planning and Construction
Olympic Regional Development Authority
37 Church Street
Lake Placid, NY 12946
E-Mail: Projects@orda.org

The ALTERNATE designated contact is:
Clea Stagnitti
Project Administration Coordinator
Olympic Regional Development Authority
37 Church Street
Lake Placid, NY 12946
E-Mail: Projects@orda.org

0.4 Requests for Information & Questions

Firms are highly encouraged to read the complete RFQ, including Attachment A - Frequently Asked Questions before submitting a Request for Information (RFI) or a Question. All inquiries regarding the RFQ shall be emailed to the Designated Contact.

PHONE CALLS SHALL **NOT** BE ACCEPTED OR RETURNED.

1. Requests for Information (RFIs):
 - RFIs need to include the following information:
 - Email Subject Line: 2026/27 RFQ Professional Services Term Consultants – RFI: ***(Insert Topic Title)***;
 - Email Body: Cite the Section number on the RFQ that is most relevant to the RFI;
 - Contact Information: Provide the Name and Title of the sender.
 - RFIs shall be submitted to the Designated Contact email. Responses to RFIs will be addressed via Addendum per the “**Schedule of Key Events and Dates.**”
2. Questions:
 - Questions addressed in the FAQ will not receive a response.
 - Questions with no material impact on the RFQ will not be responded to via Addendum.
 - Questions with material impact on the RFQ should be submitted in the format of an RFI.
 - Questions with material impact to the RFQ will be addressed via Addendum per the “**Schedule of Key Events and Dates.**”
 - Questions will be responded to via the NYS Contractor Reporter as an update listing the Firm’s Name, the Question(s) and the Response(s).

Section 1. Background, Purpose, and Common Services of Need

1.1 Background

The Olympic Authority’s legislative mandate is to:

1. Institute a comprehensive, coordinated program of activities utilizing the Olympic facilities, Gore Mountain, and Belleayre Mountain, in and around Lake Placid, North Creek, and Highmount, New York, in order to insure optimum year-round use and enjoyment of these facilities to the economic and social benefit of the regions and to minimize the financial burden on state and local government by maximizing revenue opportunities.
2. Improve the physical fitness and recreational education of the people of New York and the United States.
3. Develop, implement, and supervise a comprehensive, coordinated program for the management, promotion, and scheduling of a wide range of national and international athletic training and competitive opportunities that maximize the utilization of the Olympic facilities.
4. Develop, construct, operate, manage, and maintain facilities for the training and housing of amateur athletes in connection with the United States Olympic and Paralympic Committee's training center program and the Olympic Authority’s conduct of national and international sports events. In addition to the above, respondents are encouraged to visit the Olympic Authority’s venues and the venue’s websites to gain the best understanding possible of our facilities;

<http://www.whiteface.com/> <http://www.goremountain.com/> <http://www.belleayre.com/>
<https://www.olympicjumpingcomplex.com/> <https://www.mtvanhoevenberg.com/>
<https://www.lakeplacidolympiccenter.com/>

1.2 Purpose

The Olympic Authority seeks to empanel a group of qualified **Consultants** to assist the Olympic Authority if the workload of the Olympic Authority requires such assistance.

The Olympic Authority typically empanels, on average, between two (2) and four (4) Consultants from each discipline for a period of one (1) year, with the option for four (4) renewable terms. However, this is based on the type, level of qualifications, and the use of the specific discipline. The Olympic Authority reserves the right to not fill any of the disciplines for any reason.

The Olympic Authority reserves the right to terminate the empaneled list early or solicit for additional Consultants at any time. Placement on the empaneled list **does not guarantee** that the Olympic Authority will actually contract for services with the Consultant.

1.3 Common Services of Need

The following are common services of need to the Olympic Authority's operations*:

- Experience with New York State Public Sector Projects.
- Experience with Alpine and Nordic Ski Centers / Facilities.
- Experience with Bobsled, Luge and Skelton Sliding Track Facilities.
- Experience with Ice Skating Centers.
- Experience with Public Assembly and Conference Centers.
- Experience with Athletic Training Facilities.
- Experience with NYS Design Build Framework.
- Experience with NYS Construction Manager as Constructor Framework.
- Experience with NYS Construction Law.
- Experience with the NY City Department of Environmental Protection and the Watershed Inspector General.
- Experience with NYS Uniform Building and Fire Prevention Code Review.
- Experience in Food Service.
- Experience in the Adirondack Forest Preserve with Land Use and Permitting with the Adirondack Park Agency and the NYS Department of Environmental Conservation.
- Experience in the Catskill Forest Preserve with Land Use and Permitting with the NYS Department of Environmental Conservation and the Department of Environmental Protection.
- Previous successful experience with the Olympic Regional Development Authority.
- The ability to meet aggressive schedules and deadlines.

**No single organization/firm is expected to have experience and qualifications in all the above items. Each submission will be reviewed on its special, diverse, and unique set of experiences and qualifications. Additionally, experiences and qualifications will be subject to the professional discipline the organization/firm is submitting for.*

Section 2. Professional Services

Professional Services within the scope of this Request for Qualifications includes Consultants which are:

- Licensed / Registered by NYS Department of Education, Office of Professions (SED-OP)
- Certified / Registered by the NYS Department of State, Division of Building Standards and Codes (DOS-BSC)
- Licensed / Registered by NYS Office of Court Administration (OCA)
- No licensing or registration requirements

2.1 SED-OP Registered Licensed Professionals

Registered Licensed Professionals shall be defined as individuals who are licensed by the New York State Department of Education in the professions for which the Olympic Authority is seeking professional services.

The Registered Licensed Professionals targeted within the scope of this Request for Qualifications (RFQ) are as follows:

- Architectural
- Engineering
- Geological
- Landscape Architecture
- Surveying (Land Surveying)

The types of Registered Licensed Professionals typical of the above may include, but are not limited to, the following:

- Architectural
 - Commercial/Public Assembly Buildings
 - Alpine Ski Lodges
 - Sport Viewing Assemblies
 - Athletic Facilities
 - Dormitories
 - Historic Restoration and Preservation
 - Accessibility / Universal Design
- Engineering
 - Acoustic Engineer
 - Aerial Ropeway and Tramway Engineering
 - Civil Engineer
 - Corrosion Engineer
 - Cost Engineer / Estimator
 - Electronics Engineer
 - Elevator Designer
 - Environmental Engineer
 - Fire Protection Engineer
 - Forensic Engineer
 - Foundation / Geotechnical Engineer

- Hydraulic Engineer
- HVAC Systems Engineer
- Materials Engineer
- Mechanical Engineer
- Safety / Occupational Health Engineer
- Sliding Sports Engineering
- Snowmaking Engineering
- Soils Engineer
- Structural Engineer
- Stormwater Engineer
- Wastewater Engineer
- Wetlands Engineer
- Water Resource Engineer
- Geological
 - Environmental Mitigation
 - Natural Resources Exploration
 - Geotechnical Engineering
 - Mining Plans and Permitting
 - Geologic Hazard Assessments
- Landscape Architecture
 - Unit Management Plans
 - Environmental Analysis
 - Site and Landscape Plans
 - Ski Trail Planning and Design
 - Stormwater Pollution Prevention Plans
 - Site Analysis and Planning
- Surveying
 - Boundary
 - Topographic
 - Construction
 - Forensic
 - Deed Research and/or other services required to support property transfers, sales, or title work, etc.
- The types of professional tasks which will be included within the above professional disciplines may include, but are not limited to, the following:
 - Consultation and Evaluation
 - Studies
 - Scoping
 - Planning
 - Schematic Design
 - Design Development
 - Final Design
 - Construction Administration and Management
 - Construction Manager at Risk under the NYS agency framework
 - Bridging Documents for Design Build
 - Forensic Investigation

2.2 DOS-OP NYS Uniform Building and Fire Prevention Code Review and Inspections

NYS Uniform Building and Fire Prevention Code Officials to provide following types of services: (Plan Review may be performed by a Registered Design Professional under the direction of a Code Enforcement Official. Other services shall require a Certified Code Enforcement Officer.)

- Plan Review
- Building Safety Inspections
- Construction Code Compliance Inspections and Special Inspections

2.3 OCA Legal Counsel, Special Construction Counsel, and Other Legal Services

The types of professional disciplines typical to the above practices may include but are not limited to the following:

- Legal Counsel for all practice areas including, but not limited to, construction, cybersecurity, litigation, trademark, renewable energy, labor and employment, and electricity procurement,
- Special Construction Legal Counsel for NYS Construction Law and other legal services which may be required by the Olympic Authority,
- Other Legal Services including special/expert witnesses,
- Construction Legal Services for review of construction pending claims, claims, and other services needed to manage contracted and legal services.

2.4 Construction Management Professionals

Construction Management Professionals may include the following types of services: (These services do not require the provider to be a Registered Design Professional.)

- Agency Construction Management for multiple prime (Wicks Law) projects,
- Construction Management for Design Build Projects under the NYS agency framework,
- Construction Manager at Risk under the NYS agency framework,
- Project scheduling services,
- Predesign and Preconstruction Management Services,
- Assisting the Olympic Authority's Office of Planning and Construction (OEPC) in the execution, performance, and administration of its responsibilities.

2.5 Materials Sampling, Testing and Specifying Professional Services

Materials Sampling and Testing Professional Services in general may include, but are not limited to, the following types of services:

- Sampling, Testing and Reporting of Hazardous Materials,
- Sampling, Testing and Reporting of Geotechnical Materials,
- Sampling, Testing and Reporting of Construction Materials,
- Material Sampling, Testing and Reporting for Compliance with Special Inspections,
- Materials Specifying (Development of Technical Specifications).

2.6 Construction Cost Estimating Professionals

Construction Cost Estimating services may include, but are not limited to, the following types of services:

- Full project construction cost estimating with specifications as well as preliminary and final plans provided by the Olympic Authority and/or their agent,
- Construction phase estimates for the negotiation of change orders and estimating for project scoping and studies.

2.7 Economic / Real Property / Master Planning Professionals / Amusement and Entertainment Systems / Adventure Sporting Courses and Systems Professionals

The types of professional disciplines typical to the above professional practice may include but are not limited to the following:

- Economic
 - Facility Operational Audits
 - Revenue Forecasts
 - Strategic Planning and Implementation Strategies
 - Cost Benefit Analysis
- Real Property
 - Land, Planning and Development Strategies
 - Assessments
 - Easements
 - Appraisals
 - Abstracts
- Master Planning Professionals
 - Economic and Fiscal Impact Studies
 - Expansion Studies
 - Strategic Operational Development
 - Independent Feasibility Studies and Reports
 - Organization Operation Reviews and Assessments
 - Unit Management Plans
 - Adirondack Park Agency Permits
- Winter Olympic Sports Design and Homologation Services including but not limited to; the planning and design of new facilities, maintaining and improving existing facilities, the homologation of facilities for training and events, and the development of the facilities for events. These facilities include but are not limited to:
 - Nordic, Biathlon, Freestyle and Alpine Skiing and Snowboarding,
 - Ice Hockey, Figure Skating, Short Track and Long Track Speed Skating,
 - Sliding Sports: Bobsled, Luge, Skelton,
 - Curling,
 - Ski Jumping: Nordic and Freestyle.

- Planning and Design for Adventure Sporting Courses and Systems, including but not limited to:
 - Zip Lines and other Aerial Riding Systems,
 - Mono and Dual Rail Coaster Systems,
 - Miniature Golf Courses,
 - Mountain Bike Trails and Parks,
 - Ropes Courses.

2.8 Exhibit / Retail / Production Services

Exhibit / Retail / Production services in general may include, but are not limited to, the following types of programming, development, design, and creation services:

- Exhibit Area and Spaces,
- Custom Retail Display,
- Thematic Design,
- Theatrical Production,
- Guest Experience Development and Enhancement,
- Entertainment and Amusement Queuing Spaces,
- Production Set Work.

2.9 Aerial, Grade Level, and Below Grade Location and Investigation Services

The types of services typical to the above practices may include, but are not limited to:

- Utility Locating,
- Video Pipeline Inspection,
- 3D Laser Scanning,
- Drone Imagery,
- Leak Detection,
- As-Built Mapping,
- GIS Locating and Mapping,
- Concrete Scanning.

2.10 Project Labor Agreement Services

Project Labor Agreement Services may include, but are not limited to:

- Project Labor Agreement Studies,
- Project Labor Agreement Development Services,
- Project Labor Agreement Management.

2.11 Minority / Women Owned Business Enterprises (MWBE) and Service-Disabled Veteran-Owned Business (SDVOB) Consultant Services

The types of professional disciplines typical to the above practices may include, but are not limited to, the following:

- MWBE and SDVOB program development, management, and recordkeeping,
- MWBE and SDVOB Contract Goal Setting,
- MWBE and SDVOB legal consultation and program representation.

Section 3. Engagement Framework and Requirements

3.1 Agreement Framework

Consultants selected by the Olympic Authority to provide professional services shall be required to execute a Term Consultant Professional Services Standard Form of Agreement with the Olympic Authority and comply to the requirements of Section 6 – Olympic Authority Contract Requirements, Rights and Prerogatives.

3.2 Project Authorization

The Olympic Authority is presented with a variety of needs connected with its diverse types of facilities and projects. The Scope of Service for a project shall be identified before engagement via a Request for Proposal (RFP) issued by the OEPC to qualified, empaneled Term Consultants. Responses to RFPs shall be submitted on the organization's letterhead and shall not include any contractual terms and conditions that are not directly part of the Scope of Services requested via the RFP. Upon agreement between the OEPC and the Consultant on the scope of services and fees, the Consultant will be provided authorization to perform the work through the issuance of a "Work Authorization Form." Refer to Section 6 – Olympic Authority Contract Requirements, Rights and Prerogatives for more information.

3.3 Compensation

The Olympic Authority and the Consultant will agree to and execute a Fee Structure and Budget for each and every project. The Olympic Authority reserves the right to select from the following types of Fee Structures:

- Lump Sum,
- Upset Fee,
- Hourly Rate with or without Not to Exceed,
- Percent of Estimated Hard Cost,
- or a combination of the above.

3.4 Minority / Women-Owned, Service-Disabled Veterans Owned Business and Disadvantaged Business Enterprise/Equal Employment Opportunity

The Olympic Authority is committed to promoting participation opportunities for New York State (“State”) certified minority- and women-owned business enterprises (“MWBE”), and federal disadvantaged business enterprises (“DBEs”), and equal employment opportunities (“EEO”) for minority group members and women, in the performance of ORDA contracts. As such, the Olympic Authority complies with and requires all contractors and subcontractors working on Olympic Authority contracts, as well as projects receiving EFC financial assistance, to comply with State Executive Law Article 15-A, Title 5 NYCRR Parts 140-145, and Title 40 CFR Part 33, as applicable.

For contracts entered into by the Olympic Authority for its corporate operations, the Olympic Authority has established a 30% total MWBE goal, comprised of a 1% MBE goal and a 29% WBE goal as well as a 6% Service-Disabled Veteran Business goal.

The Olympic Authority also requires all contractors and subcontractors working on Olympic Authority contracts to comply with State and Federal non-discriminatory provisions. Contractors and subcontractors:

1. shall not discriminate on the basis of race, creed, color, national origin, sex, sexual orientation, age, disability, predisposing genetic characteristic, marital status, military status, or domestic violence victim status against any employee or applicant for employment;
2. shall undertake or continue existing programs of affirmative action to ensure that minority group members and women are afforded equal employment opportunities without discrimination; and
3. shall make and document conscientious and active efforts to employ and utilize minority group members and women in the workforce on contracts and subcontracts relating to Olympic Authority funded projects.

3.5 Reimbursable Expenses

All requests for Travel Reimbursable Expenses shall be made in compliance with the Office of the State Comptroller Travel Manual (see [Traveler’s Guide](#)) and shall include a Travel Expense Report which will include ORDA Attachment B - Claim for Travel Reimbursement by a Non-NYS Employee. All non-travel expenses shall be itemized and include all receipts and necessary back-up.

Day Travel

Ground Transportation:

- Self-employed Individuals or Businesses Owned Vehicles: Reimbursement shall be made in accordance with the IRS standard mileage rate on the date of travel.

- Rental Vehicles: Reimbursement shall be made in accordance with the IRS standard mileage rate on the date of travel. No additional reimbursement shall be made for the cost associated with the rental vehicle.
- Public Transportation - Train and Bus:
 - Reimbursement for public transportation shall be made at the actual cost incurred.
 - Cab and Uber reimbursement, including tip, will be reimbursable from the office to the station and station to ORDA meeting destination, and return.
- Meals: All meals incurred during day travel are considered overhead and shall not be eligible as a Reimbursable Expenses.
- Incidental Expenses during Day Travel are limited to:
 - Tolls,
 - Parking Fees.

Overnight and Air Travel

All Overnight and Air Travel needs pre-approval to be eligible for reimbursement of expenses.

- Pre-Approval per the Scope of Work: If Overnight Travel is identified within the scope provided in the Standard Form of Agreement or in the Work Authorization Form, you must notify the Project Manager before making any bookings or incurring costs.
- Approval for Overnight Travel not identified within the scope of work provided in the Standard Form of Agreement or in the Work Authorization Form requires written approval by the Director of OEPC and may require a Change Order to the Work Authorization Form.

Meals and Lodging

Meals and Lodging are reimbursable expenses for pre-approved Overnight Travel per the GSA rates and conditions. See the link: [Per diem rates | GSA](#)

Mark-Up

Mark-up on Day Travel, Overnight and Air Travel, and Meals and Lodging **is not allowed**.

Non-Reimbursable Expenses

Expenditures for items such as, but not limited to, laundry, valet service, entertainment, and other personal charges **shall not** be reimbursed.

Tools of the Trade

The following items/services are considered “Tools of the Trade” and are non-reimbursable:

- Personal Computers, Laptops and Tablets,
- Cell Phones,
- Photo Copiers,
- Printer and Scanners,
- Cameras and Camera Equipment,
- Survey and Testing Equipment,
- Small Hand Tools, defined as tools and equipment having a new purchase price of less than \$500 and which will be used exclusively and directly on the work, are not billable. This includes any rental costs associated with small hand tools.

Other Reimbursable Expenses

Other reimbursable expenses, such as postage, printings and other qualified reimbursable expenses will be paid at cost plus a mark-up of no more than 10%.

3.6 Standard Practices and Requirements for Design Professionals

ORDA has developed Standard Practices which need to be used in the administration, development, and release of planning, design and bidding documents. These Standard Practices may continue to change based on new industry standards. Therefore, ORDA reserves the right to release updates and add new standards at any time during the term of the RFQ and the term of any and all Professional Service Consultant agreements. The most recent version of the Standard Practices will be provided to the Consultant at the start of the Scope of Work negotiations and shall be included as part of the Work Authorization Form. The Standard Practices schedules are **not** available at the issuance of the RFQ. However, a list of current Standard Practices schedules is provided below:

- Schedule A – Registered Design Professional Standards and Procedures
- Schedule B - Framework and Guidelines for Bidding Documents
- Schedule C - Full-Time Construction Management Services
- Schedule C1 - Construction Phase Framework - Part-Time Construction Management Services
- Schedule C2 - Construction Phase Framework - Office of Environmental, Planning and Construction - Construction Management Services
- Schedule D - Codes Guide
- Schedule E - Standard Practices - General
- Schedule E1 - Standard Practices - Elevator Design and Guidelines
- Schedule E2 - Standard Practices - Information Technology Systems
- Schedule F - Cost Control
- Schedule G - Firestopping Guide

3.7 Other Requirements

Firms submitting under Subsection 2.1 shall have at least one (1) Registered Licensed Professional by the New York State Department of Education for the discipline for which they are submitting. Additionally, firms submitting under Subsection 2.1 for Surveying shall be subject to the NYS Prevailing Wage Schedule* for the required classifications.

Firms submitting under, Subsection 2.2 shall have at least one (1) Registered Licensed Professional by the New York State Department of Education and one (1) NYS Certified Code Enforcement Official.

Firms submitting under Section 2.3 shall be licensed and registered to practice law in New York State and in good standing by the New York State Office of Court Administration and in good standing.

Firms submitting under Subsection 2.4 shall have qualified certified NICET staff in the field of work of hire; and in the case of operation of equipment shall be subject to the NYS Prevailing Wage Schedule* for the required classifications.

**New York State Prevailing Wage Schedules are project specific and will be secured for each project and distributed accordingly. See [NYSDOL - Prevailing Wage](#) for details on the NYS Department of Labor Prevailing Wage system.*

Section 4. Submission Format and Requirements

4.1 Submission Format

- Firms shall provide a pdf submission. **(HARD COPIES SHALL NOT BE ACCPETED)**
- The firm's legal name and complete mailing information **shall** be on the front cover.

The following is a list of required information that must be provided. Provide your response in the same order in which it is requested using numbered cover pages that correspond with each of the numbered tabs below.

Tab 1. Include a **cover letter** with the following items:

- The legal name of the firm, title, telephone number, and email address of the individual within the firm who will be the Olympic Authority's primary contact concerning this RFQ,
- The identities of the primary staff proposed to provide services relating to this RFQ,
- A statement that the firm understands that award of a Professional Services Standard Form of Agreement does not guarantee that any services will be requested from the firm,
- A statement that the firm* has reviewed the Sample Professional Services Standard Form of Agreement and shall not request changes,
 - **2.1 Registered Licensed Professionals other agreements are subject to the terms and conditions of the State of New York and those relevant to Public Benefit Corporations*
- The cover letter must be signed by the individual(s) authorized to bind the firm contractually. Indicate the title or position the signer holds within the firm. The Olympic Authority reserves the right to reject a submission that contains an unsigned cover letter.

Tab 2. Provide a description of the firm's organization and the resumes of partners, principals, associates, and other staff proposed to provide services to the Olympic Authority.

Tab 3. Provide a description of the firm's experience providing similar services including recent relevant project experience for the public and private sector. Include the names, titles, and phone numbers of at least three (3) references.

Tab 4. Provide license numbers or copies of registration certificates, **as appropriate**.

Tab 5. Additional Information/Standard Forms – The firm must also provide statements regarding the following:

- The firm must agree to provide ORDA with pre-audit and post-audit access to documents, personnel, and other information necessary to conduct audits on request during the term of the Agreement and for six (6) years thereafter.
- Complete the following forms:
 - Attachment C: Document 00 21 12 Olympic Regional Development Authority – Procurement Requirements.
 - Attachment D: Other forms and documents.
 - W-9
 - Affidavit – Worker’s Compensation
 - NYS Vendor Responsibility Questionnaire For-Profit Business Entity
 - Any and all other relevant administrative documents, i.e. MWBE Certifications.

Tab 6. Provide a list of Billable Rates (including any escalation) and other Fees and Charges.

- Provide a schedule of rates and fees,
- Rates shall include chargeable rates for all staff for the term of the initial one (1) year agreement (if the agreement spans a term that the consultant’s fees will change, provide these changes),
- The Olympic Authority shall be notified of changes of rates after the agreement. Refer to Section 3, Subsection 3.5 Reimbursable Expenses for terms and conditions for travel, lodging, and other expenses.

4.2 Submission Requirements

1. Firms should note that all clarifications and exceptions, including those related to the terms and conditions of the Professional Services Standard Form of Agreement, are to be resolved prior to their submission. Answers to all questions of a substantive nature will be given to all recipients of this RFQ in the form of a formal Addendum which will be annexed to and become part of the resultant Professional Services Standard Form of Agreement and will be posted to NYSCR Posting. The Consultant is responsible for checking the NYSCR for all Addendums.
2. If a firm discovers an ambiguity, conflict, discrepancy, omission, or other error in this RFQ, the firm should immediately notify the Designated Contact. Modifications shall be made by Addenda to this RFQ. Given the generic nature of this RFQ, and the term of accepting submissions, Addendums will be avoided for minor clerical ambiguities which will have no impact on the outcome of this process.
3. A firm indicates its acceptance of the provisions and conditions enumerated in this RFQ by their submission.
4. Submission may be made, reviewed, and awarded on or within the date range identified in Section 0, Schedule of Key Events and Dates. The procurement process will remain active as long as the Olympic Authority believes there is a need for additional qualified firms to serve on the Empaneled List of Term Consultants.
5. Submissions shall be emailed to: Projects@orda.org.

Section 5. Evaluation of Submission

5.1 Evaluation and Professional Practice Priority

The evaluation process may start with the professional practice that the Olympic Authority is in current need of and then move to other disciplines in the order in which they were received.

Due to the limited resources available within the Olympic Authority's OEPC, disciplines that are in critical demand shall be evaluated early in the process. Other disciplines will be evaluated as time allows.

5.2 Date Range for Submissions

In the effort to procure the most qualified professional services for the Olympic Authority, the Submission Due Date Range is open for twelve (12) months. During this time period, the Olympic Authority reserves the right to accept and/or add new Consultants to any professional discipline. See the Schedule of Key Dates and Times of specific dates relating to the start and end of the submission process.

5.3 Criteria for Selection

All submissions will be reviewed to determine if they contain all required information specified in Section 4. – Submission Format and Requirements. Incomplete submission may be rejected.

Evaluations will be performed based on the following:

1. to examine the responses for compliance with this RFQ,
2. to identify the firm's qualifications based on Subsection 1.3 Common Services of Need, and
3. how these qualifications rate to the list of needs and upcoming projects / current workloads. These needs and upcoming projects are dynamic and may change throughout the year. No list is currently available.

The Olympic Authority reserves the right to re-review submissions based on new project demands during the first year and over the four-year renewal terms.

5.4 Interviews

The Olympic Authority reserves the right to determine whether interviews will be necessary and for which firms. The purpose of the interview is to further document the firm's ability to provide the required services. The proposed lead principal, as well as all other key personnel proposed to provide the services must be present and participate in the interview. The interview will be evaluated on the basis of whether it substantiates the characteristics and attributes claimed by the firm in its written response to this RFQ. The Olympic Authority reserves the right to conduct interviews after the award of the Professional Services Standard Form of Agreement while qualifying members of the Empaneled List of Consultants for specific projects.

5.5 Visits and Update of Process

Due to the historic response to this type of RFQ, it is impractical to host visits and/or “meet and greet” events. It is also impractical to respond to request on the status of the review of submissions. The Olympic Authority respectfully requests that Consultants do not call or e-mail requesting an update on the review process or to request a visit and/or “meet and greet.”

Section 6. Olympic Authority Contract Requirements, Rights and Prerogatives

6.1 Contractual and Insurance Requirements

1. Term Consultant Professionals Services Standard Form of Agreement and Standard Contract Terms

a. Term Consultant Professionals Services Standard Form of Agreement

The Olympic Authority will provide a “Term Consultant Professional Services Standard Form of Agreement” (Agreement) for Consultants selected for service on the Empaneled List of Term Consultants. A sample Agreement for Registered Licensed Professionals and a sample Professional Construction Management Services Agreement are provided within this RFQ. Refer to Attachment E – “Sample Term Professionals Services Standard Form of Agreement for copies of both sample agreements. Other disciplines interested in responding to this RFQ are encouraged to review the sample agreements before making a submission to ensure that their organization can work within the framework of The Olympic Authority’s base terms and conditions. As a condition of providing a submission to this RFQ, successful Consultants agree to reference the RFQ as part of the resulting agreement.

b. Standard Contract Terms

The Olympic Regional Development Authority Standard Contract Terms shall apply to all Term Consultant Professional Services. These Term have been embedded into all Professional Services Standard Form of Agreements, Refer to Attachment F - Document 00 72 14 – Standard Contract Terms.

c. Insurance Requirements

Upon issuance of a Professional Services Standard Form of Agreement from the Olympic Authority, firms will be required to provide evidence of the required insurances, for at least the minimum Contract Value amounts, as per Attachment G – New York State Olympic Regional Development Authority Insurance Coverage and Additional Insured Professional Services Consultants. Higher limits of coverage for Contract Values will be addressed on a case-by-case basis with the issuance of Work Authorizations which may require higher coverage limits.

2. No Modifications and No Third-Party Agreements

- a. Standard Form of Agreements: The Olympic Authority **shall not** negotiate the base terms and conditions of the Olympic Authority’s Professionals Services Standard Form of Agreement. Consultants shall review the agreement prior to their submission to ensure that they are able to comply with the framework of the agreement. Any contract or

amendments thereto will be considered effective only after approval by the appropriate Olympic Authority authorities.

- b. Standard Contract Terms: Changes and/or modifications to the Standard Contract Terms are **prohibited** by law. Consultants shall review the Standard Contract Terms prior to their submission to ensure that they are able to comply with all terms and conditions.
 - c. Third-Party Agreements: The Olympic Authority does **not** sign Third-Party Agreements and/or accept Third-Party Terms and Conditions.
3. Work Authorization Form
- Work Authorization Forms (WAFs) are used for the engagement of services. The WAF will identify the scope of services and the terms of compensation, including the Consultant Fee Worksheet and the Minority / Women Owned Business Enterprises (MWBE) Sub-Contracting / Supplier Goals and Service-Disabled Veteran-Owned Business (SDVOB) Contracting Goal. Refer to Attachment H – Sample Work Authorization Form and Attachment J – Consultant Work Sheet.
4. MWBE Sub-Contracting / Supplier Goals and SDVOB Contracting Goals
- The Olympic Authority's MWBE and SDVOB requirements are provided in Attachment I - Minority / Women Owned Business (MWBE) Sub- Contracting / Supplier Goals and Service-Disabled Veteran-Owned Business (SDVOB) Contracting Goals. Additionally, Refer to the FAQs for additional information on this subject.
5. Interpretation
- The Professional Services Standard Form of Agreement shall be construed and interpreted in accordance with the laws of New York State. New York State shall be the forum for disputes.

6.2 Olympic Authority Requirements

1. By making a submission, the firm covenants that the firm will not make any claims for or have any right to damages because of any misinterpretation or misunderstanding of the information and/or lack of information.
2. The Olympic Authority shall not be obligated for any cost incurred by the firm in the preparation of or in activities related to the review of this RFQ, development of their submission, or any interview costs.
3. Other than the contact person(s) identified in Section 0, Designated Contacts, or their designee(s), prospective firms shall not approach Olympic Authority employees regarding this RFQ for the term of the date range for acceptance.

6.3 Olympic Authority Rights and Prerogatives

The Olympic Authority reserves the right to exercise the following prerogatives:

1. To accept or reject any or all submission and amend, modify, or withdraw this RFQ.
2. To change the date range for submission.
3. To accept or reject any of the firm's employees assigned to provide services on any projects related to this RFQ and to require their replacement at any time.
4. To waive or modify any irregularities in submissions received after prior notification to the firm. This will in no way modify the RFQ documents or excuse the firm from full compliance with its requirements.

5. To consider modifications to submissions at any time before the award is made, if such action is in the best interest of the Olympic Authority.
6. To interview firms prior to selection.
7. To reject any submission containing false or misleading statements or that provides references that do not support an attribute or condition claimed by the firm.
8. To contract with more than one firm.
9. An award of a Professional Services Standard Form of Agreement does not guarantee any work or compensation for the effort put forth to respond to this RFQ or subsequent Requests for Qualifications.

Section 7. Notification

Due to the date range and typical number of responses to this RFQ, notifications of no award of a “Professional Services Standard Form of Agreement” shall not be provided unless requested in writing by U.S. Mail via Certified Return Receipt.

End of RFQ

Attachment A – Frequently Asked Questions

2026/2027 Request for Qualifications

Professional Services Term Consultants

Frequently Asked Questions (FAQs)

This document is designed to answer many of the questions that are typically asked about the Olympic Regional Development Authority's (ORDA) Request for Qualifications for Professional Services. After reviewing this list, and completely reading the RFQ, if there are still questions, please email the Designated Contact with the question(s) within the timeframe allowed in the RFQ, Section 0 Request for Qualifications, Subsection 0.3 Key Events and Dates, "Start of Questions" and "End of Questions" and Subsection 0.4 Requests for Information & Questions.

Additionally, It has been the experience of the OEPC that many organizations have not researched the Olympic Authority before contacting the OEPC with questions about an RFQ. For instance, it is common to receive questions regarding our participation in upcoming Olympic Games. As outlined in our Enabling Legislation, an activity such as this is not a responsibility of the Olympic Authority. A full understanding of our organization is a critical element in the development of a successful submission.

- Q1: We saw that your organization has issued an RFQ but it seems incomplete. Would you send us more information?
R1: Olympic Authority utilizes the New York State Contract Reporter (NYSCR) to advertise its procurement opportunities. A subscription to this service is free and can be obtained by visiting <https://www.nyscr.ny.gov/>.

The solicitation, in its entirety, is posted in a pdf document on the NYSCR.

It is not uncommon for "Plan Rooms" and other third-party procurement services to recirculate the Olympic Authority's solicitations in an incomplete or condensed formats. The Olympic Authority cannot monitor or be responsible for this activity. Visit the NYCR for a complete copy.

The only authorized provider for obtaining complete versions and all associated updates/addendums of the Olympic Authority's RFQ shall be the NYSCR. The Olympic Authority will not entertain e-mail requests for the distribution of the RFQ due to the administrative issues involved with this type of activity. Visit the NYSCR at <https://www.nyscr.ny.gov/> for a complete copy of the RFQ.

- Q2: Are we allowed to provide the RFQ response for only one of the Subsections in Section 2, or is the Olympic Authority seeking a response for all professional services listed under Section 2?
R2: Consultants may respond to as many or as few Professional Services in Section 2 and the subsequent subsection as they are qualified for.
- Q3: We are confused about when the proposal deadline is. Can you confirm?
R3: See RFQ Section 0, Subsection 0.2 Schedule of Key Events and Dates and look for the *Deadline for Submissions* date.
- Q4: Our firm has some questions. Can we ask you the questions now or is there a specific time period for questions?
R3: See RFQ Section 0, Subsection 0.2 Schedule of Key Events and Dates and look for the *Start of RFI's & Questions* and *End of RFI's and Questions*. Questions received outside this timeframe will not receive a response.
- Q5: What is the due date for a submission?
R5: Submissions may be made within the time period identified on the RFQ Section 0, Subsection 0.2 Schedule of Key Events and Dates.

- The earliest date that a submission may be made is the date of the *Issuance of RFQ*.
- The earliest date that a Term Agreement may be awarded is the *Earliest Date of Award*.
- The latest date a submission may be made for consideration is the *Deadline for Submissions*.
- The latest date we will make an Award under this RFQ is the *Deadline for Awards*.

- Q6: Are there any special instructions for increasing our organization's opportunities for securing a Term Agreement?
- R6: The Olympic Authority has provided a list of categories that are common to our operations in Section 1, Subsection 1.3 – Common Categories of Need. We encourage those interested in submitting to review this list. The Olympic Authority is seeking critical thinkers and problem solvers. Those who can demonstrate these skills will increase their opportunity.
- Q7: We will need to ask for some modifications to your Standard Form of Agreement due to our insurance underwriter before we can sign your agreement. We trust this is acceptable to the Olympic Authority?
- R7: It is important that your firm's legal counsel and your insurance underwriter review the Sample Term Consultant Professional Services Standard Form of Agreement (Agreement) before your firm response to this RFQ. The Olympic Authority Agreement has been prepared and vetted by the State's legal counsel and **no** revisions shall be entertained or accepted.
- Q8: Does the consultant have to have experience with all items in Section 1, Subsection 1.3 – Common Categories of Need, or will the Olympic Authority consider consultants who have experience in most or some of these areas?
- R8: The consultant does not need to have experience in all the items or any listed in Section 1, Subsection 1.3 – Common Categories of Need, to be considered as a "Qualified" consultant. The items identified in Section 1, Subsection 1.3 – Common Categories of Need, are provided to present an understanding of common needs and is not a list of all needs.
- Q9: Our organization is going to have someone in the Lake Placid region soon. Can they stop in and introduce themselves?
- R9: As per Section 5, Subsection 5.5 – Visits and Updates, it is impractical for The Olympic Authority's Office of Environmental, Planning and Construction (OEPC) to accommodate all the visits that may be requested during this RFQ. However, the Olympic Authority encourages respondents to become familiar with the Olympic Authority's mission and its facilities before making the decision to assemble a submission. Under normal conditions, many of the Olympic Authority's facilities are open to the public on a daily basis.
- Q10: Should we resubmit if our organization is currently under a Term Contract with the Olympic Authority?
- R10: Yes. While the Olympic Authority reserves the right to renewal Term Contracts for additional terms, the Standard Form of Agreement has been updated within the 2026/27 RFQ and all new and renewal agreements shall be subject to this new agreement framework. Re-submission will help ensure that the consultant has reviewed the new agreement and all other new information within the RFQ and accepts these terms and conditions.

Additionally, this RFQ may be used to address any vacancies for existing Term Contracts that may expire over the next five years if said discipline submits within the Submission Date Range as provided in Section 0, Subsection 0.2 Key Events and Dates, and meets the qualifications of this RFQ.

- Q11: We have a lot of important information that we want to share about our organization that is not listed within the scope of the RFQ. What are the consequences of submitting more information?
- R11: The evaluation of Submissions will be based on the content as identified in Section 4. While there are no penalties for providing additional information, it is the experience of the OEPC that the requested information provides the necessary amount of information for a determination of qualifications.
- Q12: Section 1, Subsection 1.3 provides a list of common categories of need. Can the Olympic Authority provide a list of specific needs for the upcoming year that are in higher demand than others?
- R12: The Olympic Authority is a dynamic organization with some of the most complex and diverse facilities in the State of

New York. No specific list is available. Our mission requires a great amount of flexibility and the ability to respond quickly to unforeseen situations.

Q13: Should I put together a “Team” of consultants for my submission?

A13: This is the option of the firm, but it is not required. However, the Olympic Authority encourages MWBE and SDVOB participation and is subject to the MWBE and SDVOB goal setting requirements.

Q13: Is there a benefit to submitting a “Team” of consultants for my submission?

A13: Possibly. The Olympic Authority may use the Term Contracts for projects of scale and scope that need a diverse team of consultants from numerous disciplines and MWBE and SDVOB participation. Firms with submissions that include multiple disciplines and identify their MWBE and SDVOB subconsultants may benefit from having a comprehensive submission on file with the Olympic Authority.

Q14: Is there a negative to submitting a “Team”, for instance, if we need to partner with a firm in closer proximity to your venues in the effort to provide better representation?

A14: No, there will not be any specific scoring penalty for a Team submission.

Q15: Our organization has staffing that can address several of the professional disciplines presented in Section 2. Do we need to make multiple submissions, or will one submission be adequate?

R15: If an organization has staffing that can address several professional disciplines, and/or professions, only one (1) submission is required. Please provide a specific list of the professions and/or professional disciplines that your firm is interested in providing.

Q16: Should we disclose if our organization is an MWBE or a SDVOB?

A16: Yes. It is the goal of the Olympic Authority to operate as an organization that increases and supports diversity in the workplace. The RFQ reflects the Olympic Authority’s annual participation goals for both MWBE and SDVOB. The Olympic Authority continually works to obtain or exceed these goals in their procurement efforts.

Q17: Should the MWBE and/or the SDVOB plans be completed as Section of the submission process?

A17: Because the RFQ doesn’t include specific monetary value or scope, determining submission values as identified in Article 15-A and 5 NYCRR Sections 142-144 may not be possible. Additionally, they may not be relevant for all projects that are authorized under a Term Contract. However, it is important for the Olympic Authority to understand the firm’s history with MWBE and SDVOB compliance. This type of information helps demonstrate the firm’s qualifications.

Q18: Do we need to put together a “Team” to meet the MWBE and SDVOB Goals of the Olympic Authority?

A18: It is the goal of the Olympic Authority to operate as an organization that increases and supports diversity in the workplace. Article 15-A of the New York State Executive Law was signed into law on July 19, 1988. Under this statute, State Agencies are charged with establishing employment and business participation goals for minorities and women.

Consistent with Article 15-A of the New York State Executive Law, § 310-318 and State Finance Law § 163(6), the Olympic Authority has a longstanding and continuing commitment to the participation of MWBE’s in our contracting and procurement activities as providers of goods and services. These laws were enacted to promote equality of economic opportunity for minority group members and women and to eradicate barriers that have unreasonably impeded access by MWBEs to State contracting activities.

Therefore, it is helpful to demonstrate how MWBE and SDVOB goals were managed on other projects. However, until a project’s specific scope and goals are set, it may not be possible to develop a team to meet the project goals. Nonetheless, showing how your firm uses teams to meet MWBE and SDVOB goals can help demonstrate the firm’s qualifications and the Olympic Authority’s opportunity to meet our statutory goals.

- Q19: Does the Olympic Authority do MWBE and/or SDVOB set asides?
- Q19: Yes, the Olympic Authority does MWBE and/or SDVOB set asides. These are addressed on a case-by-case basis and are not part of this RFQ process.

End of FAQ Document

Attachment B - Claim for Travel Reimbursement by a Non-New York State Employee

ORDA OEPC Vendor Expense Report

Project Name		Vendor	
Project CIN		Approved by	

Trip Hours

Dates	Venue	Details

Expenses

Category	Dates	Details	Amount
Transportation		Air Parking Rental car Taxi Other	
Own car		Mileage and Per Diem Rate	
Lodging		Per Diem at current NYS Rate	
		Location	
Meals		Not to Exceed current Per Diem NYS Rate	
		[Dropdown] Breakfast Dinner	
Other		[Dropdown] Printing Other	
TOTAL			\$ -

Signature

Date

Per Diem rates can be found at
<https://www.gsa.gov/travel/plan-book/per-diem-rates>

Attachment C – Procurement Requirements/Certifications

DOCUMENT 00 21 12

OLYMPIC REGIONAL DEVELOPMENT AUTHORITY

- ☐ **Olympic Authority Discrimination and Sexual Harassment Policy**
- ☐ **Certificate of Non-Collusion**
- ☐ **Code of Business Ethics Certification**
- ☐ **Freedom of Information Law Certification**
- ☐ **Offeror's Affirmation of Understanding of, and Agreement Pursuant to, State Finance Law §139-j(3) & §139-j(6)(b) (Procurement Lobbying)**
- ☐ **Bidder Responsibility Certification**
- ☐ **Offeror's Disclosure of Prior Non-Responsibility Determinations**
- ☐ **State Finance Law § 139-l and Executive Order No. 177 Certifications**
- ☐ **Encouraging Use of New York State Businesses in Contract Performance**
- ☐ **Certification Under Executive Order No. 16 (Prohibiting Contracting with Businesses Conducting Business in Russia)**

Attachment D - Additional Information/Standard Forms

Olympic Authority Discrimination and Sexual Harassment Policy

It is the policy of the Olympic Regional Development Authority to provide and maintain a working environment free of sexual and/or any other illegal harassment, discrimination, and/or intimidation of any employee, job applicant, or non-employee. We do not accept or condone illegal discriminatory actions nor actions of sexual harassment by management or any employee of the Olympic Authority, or by non-employees.

Discrimination and sexual harassment are illegal under Title VII of the Civil Rights Act of 1964, as amended (“Title VII”), and the New York State Human Rights Law, as amended (“Human Rights Law”).

The Human Rights Law applies to all State agencies and employees and provides very broad anti-discrimination coverage. The Law provides, in section 296.1(a), that it is an unlawful discriminatory practice “[f]or an employer or licensing agency, because of the age, race, creed, color, national origin, sexual orientation, military status, sex, disability, predisposing genetic characteristics, marital status or domestic violence victim status of any individual, to refuse to hire or employ or to bar or to discharge from employment such individual or to discriminate against such individual in compensation or in terms, conditions or privileges of employment.” The Law further provides, in sections 296.15 and 296.16, protections from employment discrimination for persons with prior conviction records, or prior arrests, youthful offender adjudications or sealed records.

The Olympic Authority will not tolerate any discriminatory and/or harassment of its employees which is in violation of either Title VII and/or the Human Rights Law and will take affirmative steps to stop it. All personnel actions and conditions of employment are administered without regard to race, color, religion, national origin, age, sex, disability, veteran status or sexual preference, and any other protected class under Title VII and/or the Human Rights Law as they may be amended from time to time. Furthermore, Sexual harassment in any form is prohibited and will not be tolerated. Anyone who engages in illegal discrimination/ harassment, or sexual harassment will be subject to discipline up to and including discharge. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, or other conduct, either verbal or physical, of a sexual nature that is offensive to another individual.

You have the right to make a complaint if you feel you have been discriminated against, harassed, or sexually harassed. A complaint form may be obtained from the Human Resource Department. Directions on how to file a complaint and who to submit it to are contained on the form itself. An immediate investigation of the allegations will be conducted, and corrective action taken where warranted. To the extent possible, this investigation will be conducted in a confidential manner that protects the identity of both the person filing the complaint and the person accused.

If it is determined that an employee is guilty of harassing another employee, or non- employee, appropriate disciplinary action will be taken against the offending person.

The Olympic Authority prohibits any form of retaliation against any contractors or employee who files a bona fide complaint or witnesses assisting in an investigation.

You may request further information about the policy and procedure for investigating claims of sexual harassment and/or discrimination from the Human Resource Department.

I have read the foregoing and agree to comply with the Olympic Authority Discrimination and Sexual Harassment Policy. I further acknowledge that failure to comply shall justify contract termination by the Olympic Authority and may result in the rejection of bids or proposals for future work with the Olympic Authority.

Printed Name

Signature

Title

Company

Date

Certificate of Non-Collusion

The undersigned recognizes that all information and material provided with this proposal and all other information and material submitted by the undersigned in connection with its proposal are submitted for the express purpose of inducing the New York State Olympic Regional Development Authority (Olympic Authority) to award a contract to the undersigned; acknowledges that the Olympic Authority, the State of New York (State), and the State's agencies and instrumentalities may, each in its sole and absolute discretion, by any means which it may choose, determine the truth and accuracy of all statements made therein; acknowledges that intentional submission of false or misleading information may constitute a felony under Penal Law §210.40 or a misdemeanor under Penal Law §210.35 or §210.45, and may also be punishable by a fine of up to \$10,000 or imprisonment of up to five years under 18 U.S.C. §1001; and states that the information submitted is true, accurate and complete.

By submission of this statement of interest, bidder and each person signing on behalf of bidder certifies, and in the case of a joint proposal each party thereto certifies as to his or her own organization under penalty of perjury, that to the best of his or her knowledge and belief:

- (1) The prices, amounts and material in this proposal have been arrived at independently, without collusion, consultation, communication or agreement, for the purpose of restricting competition, as to any matter relating to such prices, amounts and materials with any other Respondent or with any competitor;
- (2) Unless otherwise required by law, the prices, amounts and material that have been quoted in this statement of interest or subsequent proposal have not been/will not be knowingly disclosed by bidder and will not knowingly be disclosed by bidder prior to award, directly or indirectly, to any other Respondent or to any competitor, and
- (3) No attempt has been made or will be made by bidder to induce any other person, partnership or corporation to submit or not to submit a proposal for the purpose of restricting competition.

Bidder hereby authorizes the Olympic Authority and the State and their agents and instrumentalities to contact bidder's bank(s) and credit references and any other persons identified in its submission, including without limiting the foregoing, all persons and entities identified in its Information Regarding Qualifications and Financial Capability form and any financial information, in connection with the proposal, and any and all other persons identified in any investigation conducted by or on behalf of the State, and obtain release of pertinent financial and other information, as well as to obtain verification of information provided by or on behalf of bidder.

By signing, you certify under penalty of perjury your express authority to sign on behalf of yourself, your company or other entity with full knowledge and acceptance of the above certifications and that all information provided is complete, true and accurate.

Printed Name

Signature

Title

Company

Date

Code of Business Ethics Certification

Ethics Programs

1. The Olympic Regional Development Authority (the “Authority”), a public-benefit corporation, expects the highest degree of ethical business conduct by its employees and the many contractors, consultants and vendors with whom it interacts on behalf of its clients, bondholders and the people of the State of New York. The Authority, by mandate of its Board of Directors, administers a comprehensive corporate integrity program to ensure that, as public officers, Authority employees at all levels perform their official duties consistent with the requirements of the New York State Public Officers Law; other applicable laws, rules, and regulations; and policies of the Authority.
2. The Authority encourages and supports a fair, open and honest business relationship with its contractors, consultants and vendors based on quality, service and cost. Moreover, the Authority believes that a “level playing field” in the marketplace can only be achieved through adherence to ethical business practices by all participants involved in the process.
3. To promote a working relationship with the Authority based on ethical business practices, contractors, consultants and vendors are expected to:
 - a. furnish all goods, materials and services to the Authority as contractually required and specified;
 - b. submit complete and accurate reports to the Authority and its representatives as required;
 - c. not seek, solicit, demand or accept any information, verbal or written, from the Authority or its representatives that provides an unfair advantage over a competitor;
 - d. not engage in any activity or course of conduct that restricts open and fair competition on Authority-related projects and transactions;
 - e. not engage in any course of conduct with Authority employees or representatives that constitutes a conflict of interest or creates the appearance of a conflict of interest;
 - f. not offering any unlawful gifts or gratuities to Authority employees or representatives, or engage in bribery or other criminal activity; and
 - g. report to the Authority any activity by an Authority employee or contractor, consultant or vendor of the Authority that is inconsistent with the Authority’s Code of Business Ethics.
4. The Authority encourages its contractors, consultants and vendors to advance and support ethical business conduct and practices among their respective directors, officers and employees, preferably through the adoption of corporate ethics awareness training programs and written codes of conduct. In addition to considering technical competence and financial stability, the Authority will consider the corporate integrity of all contractors, consultants and vendors prior to the awarding of contracts or issuing of purchase orders.

Conduct of Authority Employees

Authority employees are expected to conduct business with contractors, consultants and vendors in a fair, consistent and professional manner. The Authority's Code of Business Ethics and Employee Conduct entitled Serving Responsibly, and other Authority policies and procedures guide the manner in which Authority employees are required to interact with contractors, consultants and vendors. Additionally, the New York State Public Officers Law sets forth legal parameters within which Authority employees must perform their official duties with respect to, among other things, conflicts of interest and the acceptance of gifts.

Limits on Gifts to Authority Employees

5. Pursuant to Section 73(5) of the Public Officers Law, no person shall offer any gift having more than a nominal value to an Authority employee under circumstances in which it:

- a. could be reasonably inferred the gift was intended to influence the employee in the performance of his or her official duties; or
- b. could reasonably be expected to influence the employee in the performance of his or her official duties; or
- c. was intended as a reward for any official action on the part of the employee.

6. A gift is anything more than nominal in value, in any form, given to an Authority employee. Gifts include, but are not limited to, money, service, loan, travel, lodging, meals, refreshments, entertainment, discount, forbearance or promise. Any firm or its agents, either doing business or seeking to do business with the Authority (contractors, consultants, vendors, etc.), is prohibited from directly or indirectly offering or giving any gifts, even gifts of nominal value, to Authority employees as such gifts are deemed to be per se improper.

7. As is stated in the Prohibited Interests section of the Construction and Consultant Contract documents, violations of these gift provisions may be grounds for immediate contract termination and/or referral for civil action or criminal prosecution.

Employing Relatives of Authority Employees

Although contractors, consultants and vendors may employ relatives of Authority employees, the Authority must be made aware of such circumstances as soon as possible, preferably in writing, to ensure a conflict-of-interest situation does not arise. The Authority reserves the right to request that contractors, consultants and vendors modify the work assignment of an Authority employee's relative where a conflict of interest, or the appearance thereof, is deemed to exist.

Please be advised that Authority employees are required to disclose information regarding the hiring of relatives by contractors, consultants and vendors and recuse themselves from matters that may present a conflict of interest. For purposes of this document, the term "relatives" refers to spouses, domestic partners, parents, children, sisters, brothers, sisters-in-law, brothers-in-law, parents-in-law, sons/daughters-in-law, stepparents, stepchildren, aunts, uncles, nieces, nephews, first cousins, grandparents by blood relationship or by marriage, or persons residing in the same household.

Hiring Former Authority Employees

Contractors, consultants and vendors may hire former Authority employees. However, as a general rule, former employees of the Authority may neither appear nor practice before the Authority, nor receive compensation for services rendered on a matter before the Authority, for a period of two years following their separation from Authority service. In addition, former Authority employees are subject to a “lifetime bar” from appearing before the Authority or receiving compensation for services regarding any transaction in which they personally participated or which was under their active consideration during their tenure with the Authority. Violations will be referred to the New York State Commission on Public Integrity for appropriate action.

Certification

I have read the foregoing and agree to comply with the Authority’s Code of Business Ethics. I further acknowledge that failure to comply shall justify contract termination by the Authority and may result in the rejection of bids or proposals for future work with the Authority.

Printed Name

Signature

Title

Company

Date

Freedom of Information Law Certification

The New York State Olympic Regional Development Authority (Olympic Authority) is subject to the Freedom of Information Law (FOIL), which governs the process for the public disclosure of certain records maintained by the Olympic Authority (NY State Public Officers Law, Article 6 and regulations adopted pursuant thereto). In keeping with all submissions to the Olympic Authority, proposals and/or subsequent stages are subject to the FOIL process and accessible as public domain unless bidder secures an exemption.

Regarding exemption, bidders that submit materials to the Olympic Authority in response to a procurement solicitation may request that the Olympic Authority exclude all or part of such material from public disclosure pursuant to Section 87(2) (d) of the Public Officers Law, on the grounds that the material contains trade secrets, proprietary information, or that the information, if disclosed, would cause substantial injury to the competitive position of the individual or firm submitting the information. Such exception may extend to information contained in the request itself if public disclosure would defeat the purpose for which the exception is sought. To ensure consideration of an exemption request, the request should be written, placed on the final page of the submitted proposal, and state in detail the specific reasons for the requested exception. It must also clearly specify the specific material submitted, or portions thereof, for which the exception is requested. If the Olympic Authority grants the request for exception from disclosure, the Olympic Authority shall keep such material or portion thereof in a secure place.

If any bidder submits information which it believes to be a trade secret or otherwise exempt from disclosure under FOIL, it must specifically identify such information and state in writing the reasons why the information should be exempt from disclosure. Notwithstanding the foregoing, the State of New York and the Olympic Authority shall not be liable if either releases information, whether or not pursuant to FOIL, which bidder believes to be a trade secret or detrimental to its business.

The undersigned does hereby affirm on behalf of the bidder that it understands and agrees to the foregoing.

Printed Name

Signature

Title

Company

Date

**Offeror's Affirmation of Understanding of, and Agreement
Pursuant to, State Finance Law §§ 139-j & §139-k
(Procurement Lobbying)**

A complete copy of the Procurement Lobbying Guidelines of the New York State Olympic Regional Development Authority is available for review at:

<https://media.orda.org/?r=18147&k=34f882f7d5>

The undersigned hereby affirms on behalf of the offeror that it has reviewed and understands the Procurement Lobbying Guidelines of the New York State Olympic Regional Development Authority relating to State Finance Law §§ 139-j and 139-k and agrees to comply with said Guidelines.

Printed Name

Signature

Title

Company

Date

Bidder Responsibility Certification

Under New York State procurement policies, a “responsible vendor” is one that has the capacity to fully perform its contractual obligations, and the integrity to justify the award of public dollars. New York State Finance Law dictates that state agencies and authorities take reasonable steps to ensure that public contracts are awarded to bidders that are responsive and responsible, including the capability to meet bid requirements and fully perform contractual obligations, and possessing the integrity to justify the award of public dollars. In short, businesses must demonstrate their vendor responsibility prior to the award of the contract. Prior to entering into contracts, New York State agencies and authorities must formally make a “responsibility determination” that is based upon a financial, legal, integrity, and past performance (“FLIP”) review of a prospective vendor. The FLIP review involves assessments of a company’s:

- Financial and organizational capacity;
- Legal authority to do business with the State of New York;
- Integrity of the owners, officers, principals, members and/or contract managers; and
- Past performance of the bidder on prior government contracts.

The selected company under this procurement must demonstrate its responsibility as a vendor and must maintain responsibility throughout the term of the agreement.

Each apparent successful bidder will be required to submit form AC 3290-S - ***New York State Vendor Responsibility Questionnaire For-Profit Business*** prior to contract award. Submission of this form will assist the Olympic Authority in determining the responsibility and reliability of the bidder.

- The Olympic Authority recommends that vendors file the required AC 3290-S form online via the New York State VendRep System. Use of this system requires that the vendor have a New York State Vendor Identification Number (Vendor ID). Please note that the Vendor ID is not the Taxpayer ID number.
- If bidders do not already have a Vendor ID, they are encouraged to obtain one ***in advance of*** the bid opening.
- To obtain a Vendor ID, contact the OSC Help Desk at 866-370-4672 or 518-408-4672, or by e-mail at ITServiceDesk@osc.state.ny.us.
- To enroll in and use the VendRep System, see the **VendRep System** page at: http://www.osc.state.ny.us/vendrep/info_vrsystem.htm
- If you already have a User ID and password, go directly to the VendRep System online at: <https://portal.osc.state.ny.us>.
- For direct VendRep System user assistance, contact the OSC Help Desk; the help desk phone numbers and e-mail address are shown above.
- Vendors opting to file a paper questionnaire can obtain the appropriate questionnaire from the VendRep website at http://www.osc.state.ny.us/vendrep/forms_vendor.htm or may telephone the OSC Help Desk.

After the proposals are opened, the apparent successful bidder shall complete and file the AC 3290-S within 5 days. Vendors using the online system may certify (or recertify) and file the AC 3290-S electronically via the VendRep System <https://portal.osc.state.ny.us>).

It is recommended that all bidders become familiar in advance with all of the requirements of the AC 3290-S. As mentioned in 1.2, bidders who do not have a Vendor ID are encouraged to obtain one in advance of the bid opening.

All bidders must submit a completed form ***Offeror Disclosure of Prior Non-Responsibility Determinations*** along with their proposal.

The determination of responsibility will include a review to ensure the bidder has not knowingly and willfully violated the provisions of the Procurement Lobby Law or New York State Finance Law §139-j and §139-k.

New York State Finance Law §139-k (2) obligates a Governmental Entity to obtain specific information regarding prior non-responsibility determinations. This information must be collected in addition to the information that is separately obtained pursuant to State Finance Law §163(9). In accordance with State Finance Law §139-k, a bidder must be asked to disclose whether there has been a finding of non-responsibility made within the previous four (4) years by any Governmental Entity due to: (a) a violation of State Finance Law §139-j or (b) the intentional provision of false or incomplete information to a Governmental Entity.

As part of its responsibility determination, State Finance Law §139-k(3) mandates consideration of whether a bidder fails to timely disclose accurate or complete information regarding the above non-responsibility determination. In accordance with law, no procurement contract shall be awarded to any bidder that fails to timely disclose accurate or complete information under this section, unless a finding is made that the award of the Procurement Contract to the bidder is necessary to protect public property or public health safety, and that the bidder is the only source capable of supplying the required Article of Procurement within the necessary time frame.

The undersigned does hereby affirm on behalf of the bidder that it understands and agrees to the foregoing.

Printed Name

Signature

Title

Company

Date

Offeror's Disclosure of Prior Non-Responsibility Determinations

Name of Individual or Entity Submitting Bid:

Address: _____

Name and Title of Person Submitting this Form: _____

1. Has any Governmental Entity made a finding of non-responsibility regarding the individual or entity seeking to enter into the Procurement Contract in the previous four years? (Please circle):

No Yes

If yes, please answer the next questions:

2. Was the basis for the finding of non-responsibility due to a violation of State Finance Law §139-j (Please circle):

No Yes

3. Was the basis for the finding of non-responsibility due to the intentional provision of false or incomplete information to a Governmental Entity? (Please circle):

No Yes

4. If you answered yes to any of the above questions, please provide details regarding the finding of non-responsibility below and attach additional pages as necessary.

Governmental Entity: _____

Date of Finding Non-Responsibility: _____

Basis of Finding Non-Responsibility: _____

5. Has any Governmental Entity or other governmental agency terminated or withheld a Procurement Contract with the above-named individual or entity due to the intentional provision of false or incomplete information? (Please circle):

No Yes

6. If yes, please provide details below and attach additional pages as necessary.

Governmental Entity: _____

Date of Termination or Withholding of Contract: _____

Basis of Termination or Withholding: _____

Offeror certifies that all information provided to the Governmental Entity with respect to State Finance Law §139-k is complete, true and accurate.

Printed Name

Signature

Title

Company

Date

Instructions for Completing

Offeror's Disclosure of Prior Non-Responsibility Determinations Form

Background:

New York State Finance Law §139-k(2) obligates a Governmental Entity to obtain specific information regarding prior non-responsibility determinations with respect to State Finance Law §139-j. This information must be collected in addition to the information that is separately obtained pursuant to State Finance Law §163(9). In accordance with State Finance Law §139-k, an Offeror must be asked to disclose whether there has been a finding of non-responsibility made within the previous four (4) years by any Governmental Entity due to: (a) a violation of State Finance Law §139-j or (b) the intentional provision of false or incomplete information to a Governmental Entity. The terms “Offeror” and “Governmental Entity” are defined in State Finance Law § 139-k(1). State Finance Law §139-j sets forth detailed requirements about the restrictions on Contacts during the procurement process. A violation of State Finance Law §139-j includes, but is not limited to, an impermissible Contact during the restricted period (for example, contacting a person or entity other than the designated contact person, when such contact does not fall within one of the exemptions).

As part of its responsibility determination, State Finance Law §139-k(3) mandates consideration of whether an Offeror fails to timely disclose accurate or complete information regarding the above non-responsibility determination. In accordance with law, no Procurement Contract shall be awarded to any Offeror that fails to timely disclose accurate or complete information under this section, unless a finding is made that the award of the Procurement Contract to the Offeror is necessary to protect public property or public health safety, and that the Offeror is the only source capable of supplying the required Article of Procurement within the necessary timeframe. See State Finance Law §§139-j (10)(b) and 139-k(3).

The above is not intended to replace the need for persons to become familiar with the full requirements of the law. Please refer to the full text of the law to resolve any questions you may have with regard to your conduct under it.

Instructions:

The Olympic Authority includes this disclosure request regarding prior non-responsibility determinations in accordance with State Finance Law §139-k in its solicitation of proposals for procurement contracts. The attached form is to be completed and submitted by the individual or entity seeking to enter into an agreement with the Olympic Authority. Submission of this document is also required for any contract amendments over \$15,000.

State Finance Law § 139-l and Executive Order No. 177 Certifications

N.Y. State Finance Law § 139-l

By submission of this proposal, each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint proposal each party thereto certifies as to its own organization, under penalty of perjury, that the bidder has and has implemented a written policy addressing sexual harassment prevention in the workplace and provides annual sexual harassment prevention training to all of its employees. Such policy shall, at a minimum, meet the requirements of section two hundred one-g of the labor law.

Executive Order No. 177 Certification (Prohibiting Contracts with Entities that Fail to Address Discrimination)

The New York State Human Rights Law, Article 15 of the Executive Law, prohibits discrimination and harassment based on age, race, creed, color, national origin, sex, pregnancy or pregnancy-related conditions, sexual orientation, gender identity, disability, marital status, familial status, domestic violence victim status, prior arrest or conviction record, military status or predisposing genetic characteristics.

The Human Rights Law may also require reasonable accommodation for persons with disabilities and pregnancy-related conditions. A reasonable accommodation is an adjustment to a job or work environment that enables a person with a disability to perform the essential functions of a job in a reasonable manner. The Human Rights Law may also require reasonable accommodation in employment on the basis of Sabbath observance or religious practices.

Generally, the Human Rights Law applies to:

- all employers of four or more people, employment agencies, labor organizations and apprenticeship training programs in all instances of discrimination or harassment;
- employers with fewer than four employees in all cases involving sexual harassment; and
- any employer of domestic workers in cases involving sexual harassment or harassment based on gender, race, religion or national origin.

In accordance with Executive Order No. 177, the Bidder hereby certifies that it does not have institutional policies or practices that fail to address the harassment and discrimination of individuals on the basis of their age, race, creed, color, national origin, sex, sexual orientation, gender identity, disability, marital status, military status, or other protected status under the Human Rights Law.

Executive Order No. 177 and this certification do not affect institutional policies or practices that are protected by existing law, including but not limited to the First Amendment of the United States Constitution, Article 1, Section 3 of the New York State Constitution, and Section 296(11) of the New York State Human Rights Law.

By signing, you certify under penalty of perjury your express authority to sign on behalf of yourself, your company or other entity with full knowledge and acceptance of the above certifications and that all information provided is complete, true and accurate.

Printed Name

Signature

Title

Company

Date

Encouraging Use of New York State Businesses in Contract Performance

New York State businesses have a substantial presence in State contracts and strongly contribute to the economies of the state and nation. In recognition of their economic activity and leadership in doing business in New York State, bidders/proposers for this contract for commodities, services or technology are strongly encouraged and expected to consider New York State businesses in the fulfillment of the requirements of the contract. Such partnering may be as subcontractors, suppliers, protégés or other supporting roles.

Bidders/proposers need to be aware that all authorized users of this contract will be strongly encouraged to the maximum extent practical and consistent with legal requirements to use responsible and responsive New York State businesses in purchasing commodities that are of equal quality and functionality and in utilizing services and technology. Furthermore, bidders/proposers are reminded that they must continue to utilize small, minority and women- owned businesses, consistent with current State law.

Utilizing New York State businesses in State contracts will help create more private sector jobs, rebuild New York's infrastructure, and maximize economic activity to the mutual benefit of the contractor and its New York State business partners. New York State businesses will promote the contractor's optimal performance under the contract, thereby fully benefitting the public sector programs that are supported by associated procurements.

Public procurements can drive and improve the State's economic engine through promotion of the use of New York businesses by its contractors. The State therefore expects bidders/proposers to provide maximum assistance to New York businesses in their use of the contract. The potential participation by all kinds of New York businesses will deliver great value to the State and its taxpayers.

Bidders/proposers can demonstrate their commitment to the use of New York State businesses by responding to the question below:

Will New York State Businesses be used in the performance of this contract? ____Yes __No If yes, identify New York State businesses that will be used and attach identifying information.

Printed name

Signature

Title and Company Name

Date

Certification Under Executive Order No. 16

Prohibiting the Olympic Authority from Contracting with Businesses Conducting Business in Russia

Executive Order No. 16, issued on March 17, 2022 (“EO 16”), directs all State agencies, including public authorities, to refrain from entering into any new contract or renewing any existing contract with an entity conducting business operations in Russia. The complete text of EO 16 can be found at https://www.governor.ny.gov/sites/default/files/2022-03/EO_16.pdf.

EO 16 remains in effect while sanctions imposed by the federal government are in effect.

Accordingly, vendors who may be excluded from award because of current business operations in Russia are nevertheless encouraged to respond to solicitations to preserve their contracting opportunities in case the sanctions are lifted during a solicitation or even after award in the case of some solicitations.

As defined in EO 16, an “entity conducting business operations in Russia” means an institution or company, wherever located, conducting any commercial activity in Russia or transacting business with the Russian Government or with commercial entities headquartered in Russia or with their principal place of business in Russia in the form of contracting, sales, purchasing, investment, or any business partnership.

Is vendor an entity conducting business operations in Russia, as defined above? Please answer by checking one of the following:

- ☐ 1. No, vendor does not conduct business operations in Russia within the meaning of EO 16.
- ☐ 2.a. Yes, vendor conducts business operations in Russia within the meaning of EO 16, but has taken steps to wind down business operations in Russia or is in the process of winding down business operations in Russia. (Please provide a detailed description of the wind down process and a schedule for completion.)
- ☐ 2.a. Yes, vendor conducts business operations in Russia within the meaning of EO 16, but only to the extent necessary to provide vital health and safety services within Russia or to comply with federal law, regulations, executive orders, or directives. (Please provide a detailed description of the services being provided or the relevant laws, regulations, etc.)
- ☐ 3. Yes, vendor conducts business operations in Russia within the meaning of EO 16.

By signing below, you certify under penalty of perjury that you have the express authority to sign on behalf of the vendor, that you are knowledgeable about the vendor's business and operations, and that the answer provided herein is true to the best of your knowledge and belief.

Printed Name

Signature

Title

Company

Date

Document 00 65 10 Affidavit – Worker’s Compensation

Legal Name and address of Bidder:

The undersigned, being duly sworn, deposes and says that the Bidder now carries or has applied for a Worker’s Compensation Policy to cover the operations, as set forth in the Contract Documents, and agrees to comply with the provisions thereof.

Printed Name

Signature

Title

Company

Date

STATE OF _____)
)ss.:
COUNTY OF _____)

On the _____ day of _____ in the year 20_____, before me, the undersigned, personally appeared, _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that they executed the same in their capacity, and that by their signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

W-9

Form **W-9**
(Rev. March 2024)
Department of the Treasury
Internal Revenue Service

Request for Taxpayer Identification Number and Certification

Go to www.irs.gov/FormW9 for instructions and the latest information.

Give form to the
requester. Do not
send to the IRS.

Before you begin. For guidance related to the purpose of Form W-9, see *Purpose of Form*, below.

Print or type. See Specific Instructions on page 3.	1 Name of entity/individual. An entry is required. (For a sole proprietor or disregarded entity, enter the owner's name on line 1, and enter the business/disregarded entity's name on line 2.)		
	2 Business name/disregarded entity name, if different from above.		
	3a Check the appropriate box for federal tax classification of the entity/individual whose name is entered on line 1. Check only one of the following seven boxes. ☐ Individual/sole proprietor ☐ C corporation ☐ S corporation ☐ Partnership ☐ Trust/estate ☐ LLC. Enter the tax classification (C = C corporation, S = S corporation, P = Partnership) Note: Check the "LLC" box above and, in the entry space, enter the appropriate code (C, S, or P) for the tax classification of the LLC, unless it is a disregarded entity. A disregarded entity should instead check the appropriate box for the tax classification of its owner. ☐ Other (see instructions)	4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) Exemption from Foreign Account Tax Compliance Act (FATCA) reporting code (if any) (Applies to accounts maintained outside the United States.)	
	3b If on line 3a you checked "Partnership" or "Trust/estate," or checked "LLC" and entered "P" as its tax classification, and you are providing this form to a partnership, trust, or estate in which you have an ownership interest, check this box if you have any foreign partners, owners, or beneficiaries. See instructions ☐		
	5 Address (number, street, and apt. or suite no.). See instructions.	Requester's name and address (optional)	
6 City, state, and ZIP code			
7 List account number(s) here (optional)			

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. See also *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number
- -
or
Employer identification number
-

Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and, generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here	Signature of U.S. person	Date
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General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

What's New

Line 3a has been modified to clarify how a disregarded entity completes this line. An LLC that is a disregarded entity should check the appropriate box for the tax classification of its owner. Otherwise, it should check the "LLC" box and enter its appropriate tax classification.

New line 3b has been added to this form. A flow-through entity is required to complete this line to indicate that it has direct or indirect foreign partners, owners, or beneficiaries when it provides the Form W-9 to another flow-through entity in which it has an ownership interest. This change is intended to provide a flow-through entity with information regarding the status of its indirect foreign partners, owners, or beneficiaries, so that it can satisfy any applicable reporting requirements. For example, a partnership that has any indirect foreign partners may be required to complete Schedules K-2 and K-3. See the Partnership Instructions for Schedules K-2 and K-3 (Form 1065).

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS is giving you this form because they

NEW YORK STATE

Vendor Responsibility Questionnaire

FOR-PROFIT BUSINESS ENTITY

You have selected the For-Profit Non-Construction questionnaire which may be printed and completed in this format or, for your convenience, may be completed online using the New York State VendRep System.

COMPLETION & CERTIFICATION

The person(s) completing the questionnaire must be knowledgeable about the vendor's business and operations. An owner or officer must certify the questionnaire and the signature must be notarized.

NEW YORK STATE VENDOR IDENTIFICATION NUMBER (VENDOR ID)

The Vendor ID is a ten-digit identifier issued by New York State when the vendor is registered on the Statewide Vendor File. This number must now be included on the questionnaire. If the business entity has not obtained a Vendor ID, contact the IT Service Desk at ITServiceDesk@osc.state.ny.us or call 866-370-4672.

DEFINITIONS

All underlined terms are defined in the "New York State Vendor Responsibility Definitions List," found at www.osc.state.ny.us/vendrep/documents/questionnaire/definitions.pdf. These terms may not have their ordinary, common or traditional meanings. Each vendor is strongly encouraged to read the respective definitions for any and all underlined terms. By submitting this questionnaire, the vendor agrees to be bound by the terms as defined in the "New York State Vendor Responsibility Definitions List" existing at the time of certification.

RESPONSES

Every question must be answered. Each response must provide all relevant information which can be obtained within the limits of the law. However, information regarding a determination or finding made in error which was subsequently corrected is not required. Individuals and Sole Proprietors may use a Social Security Number but are encouraged to obtain and use a federal Employer Identification Number (EIN).

REPORTING ENTITY

Each vendor must indicate if the questionnaire is filed on behalf of the entire Legal Business Entity or an Organizational Unit within or operating under the authority of the Legal Business Entity and having the same EIN. Generally, the Organizational Unit option may be appropriate for a vendor that meets the definition of "Reporting Entity" but due to the size and complexity of the Legal Business Entity, is best able to provide the required information for the Organizational Unit, while providing more limited information for other parts of the Legal Business Entity and Associated Entities.

ASSOCIATED ENTITY

An Associated Entity is one that owns or controls the Reporting Entity or any entity owned or controlled by the Reporting Entity. However, the term Associated Entity does **not** include "sibling organizations" (i.e., entities owned or controlled by a parent company that owns or controls the Reporting Entity), unless such sibling entity has a direct relationship with or impact on the Reporting Entity.

STRUCTURE OF THE QUESTIONNAIRE

The questionnaire is organized into eleven sections. Section I is to be completed for the Legal Business Entity. Section II requires the vendor to specify the Reporting Entity for the questionnaire. Section III refers to the individuals of the Reporting Entity, while Sections IV-VIII require information about the Reporting Entity. Section IX pertains to any Associated Entities, with one question about their Officials/Owners. Section X relates to disclosure under the Freedom of Information Law (FOIL). Section XI requires an authorized contact for the questionnaire information.

NEW YORK STATE
Vendor Responsibility Questionnaire
FOR-PROFIT BUSINESS ENTITY

I. LEGAL BUSINESS ENTITY INFORMATION

<u>Legal Business Entity Name*</u>		EIN	
Address of the <u>Principal Place of Business</u> (street, city, state, zip code)		New York State Vendor Identification Number	
		Telephone ext.	Fax
Email		Website	
Additional <u>Legal Business Entity</u> Identities: If applicable, list any other <u>DBA</u> , <u>Trade Name</u> , <u>Former Name</u> , Other Identity, or <u>EIN</u> used in the last five (5) years and the status (active or inactive).			
Type	Name	EIN	Status
1.0 <u>Legal Business Entity</u> Type – Check appropriate box and provide additional information:			
<u>Corporation</u> (including PC) ☐		Date of Incorporation	
<u>Limited Liability Company</u> (LLC or PLLC) ☐		Date of Organization	
<u>Partnership</u> (including LLP, LP or General) ☐		Date of Registration or Establishment	
Sole <u>Proprietor</u> ☐		How many years in business?	
Other ☐		Date Established	
If Other, explain:			
1.1 Was the <u>Legal Business Entity</u> formed or incorporated in New York State?			Yes ☐ No ☐
If ‘No,’ indicate jurisdiction where <u>Legal Business Entity</u> was formed or incorporated and attach a <u>Certificate of Good Standing</u> from the applicable jurisdiction or provide an explanation if a <u>Certificate of Good Standing</u> is not available.			
United States State _____			
Other ☐ Country _____			
Explain, if not available:			
1.2 Is the <u>Legal Business Entity</u> publicly traded?			Yes ☐ No ☐
If “Yes,” provide <u>CIK Code</u> or Ticker Symbol			
1.3 Does the <u>Legal Business Entity</u> have a <u>DUNS</u> Number?			Yes ☐ No ☐
If “Yes,” Enter <u>DUNS</u> Number			

*All underlined terms are defined in the “New York State Vendor Responsibility Definitions List,” which can be found at www.osc.state.ny.us/vendrep/documents/questionnaire/definitions.pdf.

NEW YORK STATE
Vendor Responsibility Questionnaire
FOR-PROFIT BUSINESS ENTITY

I. LEGAL BUSINESS ENTITY INFORMATION

1.4 If the <u>Legal Business Entity</u> 's <u>Principal Place of Business</u> is not in New York State, does the <u>Legal Business Entity</u> maintain an office in New York State? (Select "N/A," if <u>Principal Place of Business</u> is in New York State.)			Yes ☐ No ☐ N/A ☐
If "Yes," provide the address and telephone number for one office located in New York State.			
1.5 Is the Legal Business Entity a New York State certified Minority-Owned Business Enterprise (MBE), Women-Owned Business Enterprise (WBE), New York State Small Business (SB) or a federally certified Disadvantaged Business Enterprise (DBE)? If "Yes," check all that apply: New York State certified Minority-Owned Business Enterprise (MBE) ☐ New York State certified Women-Owned Business Enterprise (WBE) ☐ New York State Small Business (SB) ☐ Federally certified Disadvantaged Business Enterprise (DBE) ☐			Yes ☐ No ☐
1.6 Identify <u>Officials</u> and <u>Principal Owners</u> , if applicable. For each person, include name, title and percentage of ownership. Attach additional pages if necessary. If applicable, reference to relevant SEC filing(s) containing the required information is optional.			
Name	Title	Percentage Ownership (Enter 0% if not applicable)	

NEW YORK STATE
Vendor Responsibility Questionnaire
FOR-PROFIT BUSINESS ENTITY

II. REPORTING ENTITY INFORMATION

2.0 The Reporting Entity for this questionnaire is: Note: Select only one.

Legal ☒ Business Entity

Note: If selecting this option, “Reporting Entity” refers to the entire Legal Business Entity for the remainder of the questionnaire. (SKIP THE REMAINDER OF SECTION II AND PROCEED WITH SECTION III.)

Organizational Unit within and operating under the authority of the Legal Business Entity

See definitions of “Reporting Entity” and “Organizational Unit” for additional information on criteria to qualify for this selection.

Note: If selecting this option, “Reporting Entity” refers to the Organizational Unit within the Legal Business Entity for the remainder of the questionnaire. (COMPLETE THE REMAINDER OF SECTION II AND ALL REMAINING SECTIONS OF THIS QUESTIONNAIRE.)

IDENTIFYING INFORMATION

a) Reporting Entity Name

Address of the Primary Place of Business (street, city, state, zip code)

Telephone
ext.

b) Describe the relationship of the Reporting Entity to the Legal Business Entity

c) Attach an organizational chart

d) Does the Reporting Entity have a DUNS Number?

Yes ☒ No ☐

If “Yes,” enter DUNS Number

e) Identify the designated manager(s) responsible for the business of the Reporting Entity.

For each person, include name and title. Attach additional pages if necessary.

Name	Title

NEW YORK STATE
Vendor Responsibility Questionnaire
FOR-PROFIT BUSINESS ENTITY

INSTRUCTIONS FOR SECTIONS III THROUGH VII

For each “Yes,” provide an explanation of the issue(s), relevant dates, the government entity involved, any remedial or corrective action(s) taken and the current status of the issue(s). For each “Other,” provide an explanation which provides the basis for not definitively responding “Yes” or “No.” Provide the explanation at the end of the section or attach additional sheets with numbered responses, including the Reporting Entity name at the top of any attached pages.

III. LEADERSHIP INTEGRITY

Within the past five (5) years, has any current or former reporting entity official or any individual currently or formerly having the authority to sign, execute or approve bids, proposals, contracts or supporting documentation on behalf of the reporting entity with any government entity been:

3.0 <u>Sanctioned</u> relative to any business or professional permit and/or license?	☐ Yes	☐ No	☐ Other
3.1 Suspended, debarred, or disqualified from any government contracting process?	☐ Yes	☐ No	☐ Other
3.2 The subject of an <u>investigation</u> , whether open or closed, by any <u>government entity</u> for a civil or criminal violation for any business-related conduct?	☐ Yes	☐ No	☐ Other
3.3 Charged with a misdemeanor or felony, indicted, granted immunity, convicted of a crime or subject to a <u>judgment</u> for: a) Any business-related activity; or b) Any crime, whether or not business-related, the underlying conduct of which was related to truthfulness?	☐ Yes	☐ No	☐ Other

For each “Yes” or “Other” explain:

IV. INTEGRITY – CONTRACT BIDDING

Within the past five (5) years, has the reporting entity:

4.0 Been <u>suspended</u> or <u>debarred</u> from any <u>government contracting process</u> or been <u>disqualified</u> on any government procurement, permit, license, concession, franchise or lease, including, but not limited to, <u>debarment</u> for a violation of New York State Workers’ Compensation or Prevailing Wage laws or New York State Procurement Lobbying Law?	☐ Yes	☐ No
4.1 Been subject to a denial or revocation of a government prequalification?	☐ Yes	☐ No
4.2 Been denied a contract award or had a bid rejected based upon a <u>non-responsibility finding</u> by a <u>government entity</u> ?	☐ Yes	☐ No
4.3 Had a low bid rejected on a government contract for failure to make good faith efforts on any Minority- Owned Business Enterprise, Women-Owned Business Enterprise or Disadvantaged Business Enterprise goal or statutory affirmative action requirements on a previously held contract?	☐ Yes	☐ No
4.4 Agreed to a voluntary exclusion from bidding/contracting with a <u>government entity</u> ?	☐ Yes	☐ No
4.5 Initiated a request to withdraw a bid submitted to a <u>government entity</u> in lieu of responding to an information request or subsequent to a formal request to appear before the <u>government entity</u> ?	☐ Yes	☐ No

For each “Yes,” explain:

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V. INTEGRITY – CONTRACT AWARD

Within the past five (5) years, has the reporting entity:

5.0 Been suspended, cancelled or terminated for cause on any government contract including, but not limited to, a non-responsibility finding?	Yes ☒	No ☐
5.1 Been subject to an <u>administrative proceeding</u> or civil action seeking specific performance or restitution in connection with any <u>government contract</u> ?	Yes ☒	No ☐
5.2 Entered into a formal monitoring agreement as a condition of a contract award from a <u>government entity</u> ?	Yes ☒	No ☐

For each “Yes,” explain:

VI. CERTIFICATIONS/LICENSES

Within the past five (5) years, has the reporting entity:

6.0 Had a revocation, <u>suspension</u> or <u>disbarment</u> of any business or professional permit and/or license?	Yes ☒	No ☐
6.1 Had a denial, decertification, revocation or forfeiture of New York State certification of <u>Minority-Owned Business Enterprise</u> , <u>Women-Owned Business Enterprise</u> or federal certification of <u>Disadvantaged Business Enterprise</u> status for other than a change of ownership?	Yes ☒	No ☐

For each “Yes,” explain:

VII. LEGAL PROCEEDINGS

Within the past five (5) years, has the reporting entity:

7.0 Been the subject of an <u>investigation</u> , whether open or closed, by any <u>government entity</u> for a civil or criminal violation?	Yes ☒	No ☐
7.1 Been the subject of an indictment, grant of immunity, <u>judgment</u> or conviction (including entering into a plea bargain) for conduct constituting a crime?	Yes ☒	No ☐
7.2 Received any OSHA citation and Notification of Penalty containing a violation classified as <u>serious</u> or <u>willful</u> ?	Yes ☒	No ☐
7.3 Had a <u>government entity</u> find a willful prevailing wage or supplemental payment violation or any other willful violation of New York State Labor Law?	Yes ☒	No ☐
7.4 Entered into a consent order with the New York State Department of Environmental Conservation, or received an enforcement determination by any <u>government entity</u> involving a violation of federal, state or local environmental laws?	Yes ☒	No ☐
7.5 Other than previously disclosed: a) Been subject to fines or penalties imposed by <u>government entities</u> which in the aggregate total \$25,000 or more; or b) Been convicted of a criminal offense pursuant to any administrative and/or regulatory action taken by any <u>government entity</u> ?	Yes ☒	No ☐

For each “Yes,” explain:

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VIII. FINANCIAL AND ORGANIZATIONAL CAPACITY

8.0 Within the past five (5) years, has the <u>Reporting Entity</u> received any <u>formal unsatisfactory performance assessment(s)</u> from any <u>government entity</u> on any contract?	☒ Yes	☐ No
If "Yes," provide an explanation of the issue(s), relevant dates, the <u>government entity</u> involved, any remedial or corrective action(s) taken and the current status of the issue(s). Provide answer below or attach additional sheets with numbered responses.		
8.1 Within the past five (5) years, has the <u>Reporting Entity</u> had any <u>liquidated damages</u> assessed over \$25,000?	☒ Yes	☐ No
If "Yes," provide an explanation of the issue(s), relevant dates, contracting party involved, the amount assessed and the current status of the issue(s). Provide answer below or attach additional sheets with numbered responses.		
8.2 Within the past five (5) years, have any <u>liens</u> or <u>judgments</u> (not including UCC filings) over \$25,000 been filed against the <u>Reporting Entity</u> which remain undischarged?	☒ Yes	☐ No
If "Yes," provide an explanation of the issue(s), relevant dates, the Lien holder or Claimant's name(s), the amount of the <u>lien(s)</u> and the current status of the issue(s). Provide answer below or attach additional sheets with numbered responses.		
8.3 In the last seven (7) years, has the <u>Reporting Entity</u> initiated or been the subject of any bankruptcy proceedings, whether or not closed, or is any bankruptcy proceeding pending?	☒ Yes	☐ No
If "Yes," provide the bankruptcy chapter number, the court name and the docket number. Indicate the current status of the proceedings as "Initiated," "Pending" or "Closed." Provide answer below or attach additional sheets with numbered responses.		
8.4 During the past three (3) years, has the <u>Reporting Entity</u> failed to file or pay any tax returns required by <u>federal</u> , state or local tax laws?	☒ Yes	☐ No
If "Yes," provide the taxing jurisdiction, the type of tax, the liability year(s), the tax liability amount the <u>Reporting Entity</u> failed to file/pay and the current status of the tax liability. Provide answer below or attach additional sheets with numbered responses.		
8.5 During the past three (3) years, has the <u>Reporting Entity</u> failed to file or pay any New York State unemployment insurance returns?	☒ Yes	☐ No
If "Yes," provide the years the <u>Reporting Entity</u> failed to file/pay the insurance, explain the situation and any remedial or corrective action(s) taken and the current status of the issue(s). Provide answer below or attach additional sheets with numbered responses.		
8.6 During the past three (3) years, has the <u>Reporting Entity</u> had any <u>government audit(s)</u> completed?	☒ Yes	☐ No
a) If "Yes," did any audit of the <u>Reporting Entity</u> identify any reported significant deficiencies in internal control, fraud, illegal acts, significant violations of provisions of contract or grant agreements, significant abuse or any <u>material disallowance</u> ?	☒ Yes	☐ No
If "Yes" to 8.6 a), provide an explanation of the issue(s), relevant dates, the <u>government entity</u> involved, any remedial or corrective action(s) taken and the current status of the issue(s). Provide answer below or attach additional sheets with numbered responses.		

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IX. ASSOCIATED ENTITIES

This section pertains to any entity(ies) that either controls or is controlled by the reporting entity. (See definition of “associated entity” for additional information to complete this section.)

9.0 Does the Reporting Entity have any Associated Entities?

Yes ☐No ☐

Note: All questions in this section must be answered if the Reporting Entity is either:

- An Organizational Unit; or
- The entire Legal Business Entity which controls, or is controlled by, any other entity(ies).

If “No,” SKIP THE REMAINDER OF SECTION IX AND PROCEED WITH SECTION X.

9.1 Within the past five (5) years, has any Associated Entity Official or Principal Owner been charged with a misdemeanor or felony, indicted, granted immunity, convicted of a crime or subject to a judgment for:

a) Any business-related activity; or

b) Any crime, whether or not business-related, the underlying conduct of which was related to truthfulness?

Yes ☐No ☐

If “Yes,” provide an explanation of the issue(s), the individual involved, his/her title and role in the Associated Entity, his/her relationship to the Reporting Entity, relevant dates, the government entity involved, any remedial or corrective action(s) taken and the current status of the issue(s).

9.2 Does any Associated Entity have any currently undischarged federal, New York State, New York City or New York local government liens or judgments (not including UCC filings) over \$50,000?

Yes ☐No ☐

If “Yes,” provide an explanation of the issue(s), identify the Associated Entity’s name(s), EIN(s), primary business activity, relationship to the Reporting Entity, relevant dates, the Lien holder or Claimant’s name(s), the amount of the lien(s) and the current status of the issue(s). Provide answer below or attach additional sheets with numbered responses.

9.3 Within the past five (5) years, has any Associated Entity:

a) Been disqualified, suspended or debarred from any federal, New York State, New York City or other New York local government contracting process?

Yes ☐No ☐

b) Been denied a contract award or had a bid rejected based upon a non-responsibility finding by any federal, New York State, New York City, or New York local government entity?

Yes ☐No ☐

c) Been suspended, cancelled or terminated for cause (including for non-responsibility) on any federal, New York State, New York City or New York local government contract?

Yes ☐No ☐

d) Been the subject of an investigation, whether open or closed, by any federal, New York State, New York City, or New York local government entity for a civil or criminal violation with a penalty in excess of \$500,000?

Yes ☐No ☐

e) Been the subject of an indictment, grant of immunity, judgment, or conviction (including entering into a plea bargain) for conduct constituting a crime?

Yes ☐No ☐

f) Been convicted of a criminal offense pursuant to any administrative and/or regulatory action taken by any federal, New York State, New York City, or New York local government entity?

Yes ☐No ☐

g) Initiated or been the subject of any bankruptcy proceedings, whether or not closed, or is any bankruptcy proceeding pending?

Yes ☐No ☐

For each “Yes,” provide an explanation of the issue(s), identify the Associated Entity’s name(s), EIN(s), primary business activity, relationship to the Reporting Entity, relevant dates, the government entity involved, any remedial or corrective action(s) taken and the current status of the issue(s). Provide answer below or attach additional sheets with numbered responses.

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X. FREEDOM OF INFORMATION LAW (FOIL)

10. Indicate whether any information supplied herein is believed to be exempt from disclosure under the Freedom of Information Law (FOIL). Note: A determination of whether such information is exempt from FOIL will be made at the time of any request for disclosure under FOIL.	Yes ☒ No ☐
If "Yes," indicate the question number(s) and explain the basis for the claim.	

XI. AUTHORIZED CONTACT FOR THIS QUESTIONNAIRE

Name	Telephone ext.	Fax
Title	Email	

NEW YORK STATE
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The undersigned: (1) recognizes that this questionnaire is submitted for the express purpose of assisting New York State government entities (including the Office of the State Comptroller (OSC)) in making responsibility determinations regarding award or approval of a contract or subcontract and that such government entities will rely on information disclosed in the questionnaire in making responsibility determinations; (2) acknowledges that the New York State government entities and OSC may, in their discretion, by means which they may choose, verify the truth and accuracy of all statements made herein; and (3) acknowledges that intentional submission of false or misleading information may result in criminal penalties under State and/or Federal Law, as well as a finding of non-responsibility, contract suspension or contract termination.

The undersigned certifies that he/she:

- is knowledgeable about the submitting Business Entity's business and operations;
- has read and understands all of the questions contained in the questionnaire;
- has not altered the content of the questionnaire in any manner;
- has reviewed and/or supplied full and complete responses to each question;
- to the best of his/her knowledge, information and belief, confirms that the Business Entity's responses are true, accurate and complete, including all attachments, if applicable;
- understands that New York State government entities will rely on the information disclosed in the questionnaire when entering into a contract with the Business Entity; and
- is under an obligation to update the information provided herein to include any material changes to the Business Entity's responses at the time of bid/proposal submission through the contract award notification, and may be required to update the information at the request of the New York State government entities or OSC prior to the award and/or approval of a contract, or during the term of the contract.

Signature of
Owner/Official
Printed Name of Signatory

Title

Name of Business

Address

City, State, Zip

Sworn to before me this _____ day of _____, 20__;

_____ Notary Public

Document 00 21 11 Addendum Acknowledgement

PIN:
CIN
Project:
Contract Name:

I, the undersigned, do hereby affirm that I have received and fully reviewed the information provided in the below Addendum and that these documents are now incorporated into the Project Bid Documents.

Addendum 1 Acknowledgment (as needed) _____

Addendum 2 Acknowledgment (as needed) _____

Addendum 3 Acknowledgment (as needed) _____

Addendum 4 Acknowledgment (as needed) _____

Addendum 5 Acknowledgment (as needed) _____

Signature

Printed Name

Title

Company

Date